

## TO APPEAL HER CAUSE TO HEAVEN

OKLAHOMA INVESTIGATOR'S BOLD DEFT TO KANSAS SKEPTICS

DECLARES GOD IS WATCHING OVER TRIAL

Serves Notice That If Necessary She Will Meet Inquisitors at Heaven's Gates

(By Associated Press.)  
Topeka, Kan., Jan. 8.—The prison investigation committee appointed by Governor Hoch has made its report. The committee finds little substance to Miss Barnard's charges and practically exonerates Fardon Haskell. It recommends that control labor be abolished.

(By Associated Press.)

Leverworth, Kan., Jan. 8.—Miss Kate Barnard declared today at the Lansing penitentiary investigation that she is not being treated fairly.

When Senator Reed, one of the commissioners, was questioning the witness, asking her to be more explicit, Miss Barnard displayed great anger and declared she was not being given a fair chance to support her charges.

"I warn you, gentlemen," finally declared Miss Barnard, "that God is watching this trial and that he knows everything that is being said, and you men are responsible to Him. I serve notice on you that if necessary I will meet you before the gates of heaven for fair trial."

NANCY NYE SEEKS DIVORCE

Nancy Nye filed suit in the district court today against John C. Nye, a prominent Republican politician, who at the present time is in court in the United States Federal and Circuit courts here, asking for a decree of divorce with alimony. The plaintiff recites in her petition that they were married in Guthrie May 23, 1907, and that on June 10, 1907, the defendant began treating her with extreme cruelty until November 21, 1908, when she charges the defendant with inflicting bodily injury to her. She charges the defendant with gross neglect of duty and refusing to support her and the children. She recites that the plaintiff is an able-bodied man, and able from getting a job, and that the defendant, who could make a good living at any of the trades, has refused to work and has controlled the household which she alleges she helped purchase with her own money.

MISSOURI REPORTS

(By Associated Press.)  
Jefferson City, Mo., Jan. 8.—State officers receiving a plurality of the vote as cast in the November election, with the exception of aspirants for lieutenant governor, were declared elected by the legislature today. This action was taken on the report by the non-partisan committee which was unable to agree on a method of settling the contest for lieutenant governorship and asked that it be allowed to defer its report in this matter until Monday afternoon.

## AGREE ON TEST SUIT PLAN

Special to Daily Leader.  
Washington, Jan. 8.—The secretary of interior has written an official communication to Senator Owen in which he states that the attorney general and the secretary of interior have agreed to the plan suggested to bring test cases in the thousands of land titles suits and that they are willing and anxious that these test cases be pushed through the courts with the utmost speed. The letter also states that Mr. A. B. Frost, who has charge of the work at Muskogee, Okla., will assist in running these test cases to trial. This will relieve the necessity of trying thousands of individual cases. There will be one test case in each classification of cases involving certain disputed points and all other cases will be decided by the test cases. Senator Owen says that with the department of interior and the attorney general agreeing, these cases can be pushed to a final adjudication within one year. There is no possibility

## MOTHER BETRAYS HER SONS

(By Associated Press.)

St. Louis, Mo., Jan. 8.—Five boys were arrested in the class rooms in the Shaw school today charged with the murder of William Wachter, a peddler, who was found with his skull crushed yesterday. The arrests followed information given by Mrs. Mary Goodhardt, mother of two of the prisoners.

## WANTS WAR RECORD STRAIGHT

Washington, Jan. 8.—Congressman Chas. D. Carter has prepared a bill to correct the war record of R. F. Hamilton, of McAlester, a veteran of the Civil war. Mr. Hamilton made application for a pension. When it came up the war department confronted it with the record which shows Mr. Hamilton to be a deserter. With this entry in the war department records a pension is impossible.

Mr. Hamilton enlisted in the Tenth Ohio volunteers in 1862. March 14, 1864, he disappeared and was marked down as a deserter. He has affidavits and statements on file here which show that he was not a deserter, but that he was captured by Confederate soldiers and held as a prisoner of war and confined in a southern prison for months. After that he was paroled under agreement not to enter the army. He did not know that he had a record as a deserter in the war department until he made application for a pension, and as soon as it was discovered set about correcting it. It takes a special act of congress to correct a war record.

## COLONEL ROSS IS "TOUCHED"

Col. L. P. Ross, of Lawton, is always on the lookout during sessions of the house, but last night a pick-pocket caught the genial colonel when he wasn't looking. The colonel had been attending the performance of "The Red Mill" at the Brooks theatre and as he came out the pretty music was still ringing in his ears and his eyes were full of the play's pretty airs. Consequently he neither saw nor felt the light fingered gentleman who approached him in the crowd. This thief quietly appropriated Col. Ross' watch. He says he would have liked to see the expression on the face of the thief when the latter discovered how little he secured for his pains.

Being already a watch out Col. Ross says he will watch out more closely during his stay in the city.

## FILTRATION PLANT IS ACCEPTED

The fifth and final estimate of Contractor Cooper on the filtration plant which is to be in operation the first of next week, amounting to \$1,375.80, was filed by the city council last evening and ordered paid. The former estimate paid amounted to \$17,453.18.

The mayor and public building committee upon motion were instructed to have the Convention hall fully covered with insurance against loss by fire, tornado and lightning, with the under-

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## TO CURB HIGH TAX LEVIES

RUSHING THROUGH GOVERNOR'S BILL FOR RELIEF OF PEOPLE

FINAL PASSAGE ONLY MATTER OF FEW HOURS

Time of Final Payment of Taxes Extended Until Third Monday in April

At the afternoon house session Japo Cope and Durant were appointed on committee to arrange for the election of a United States senator to succeed Mr. Gore.

Eleven bills were introduced. The committee on rules asked leave to report.

The house is proceeding rapidly with the bill in relation to excessive tax levies and its final passage is now perhaps a matter of only a few hours.

This morning the bill was reported on by the special committee to which it had been referred. They suggested only one amendment, namely, that the date after which penalties for delinquencies shall be extended until the third Monday in April, instead of such an originally provided. The committee amendment was adopted. The bill was then taken up section by section.

Lovell, of Latimer, in speaking on the bill stated that some such measure was absolutely necessary for relief in the eastern portion of the state as many people there had never paid local taxes and some of them didn't even know what taxation meant.

Durham offered an amendment under which only real estate levies should be affected, but his amendment was tabled.

What was undoubtedly the most important change in the entire measure was the amendment offered by Cope. In the bill as originally drawn, any aggrieved tax payer might bring suit for a correction of the levy, as also might any county attorney, or the attorney general upon direction of the governor. Cope's amendment cut out that portion referring to the direction of the governor, and it was adopted practically without argument.

Durham offered an amendment directing that the county commissioners should immediately assemble in each county and correct any excessive local levies. A question as to as to the jurisdiction of the commissioners over such matters and after some discussion the amendment was tabled.

Maxey's amendment that where a tax payer brought suit under the bill it should be on behalf of himself and all others similarly situated, was also tabled. McClellan attacking it strongly along the lines of its legality.

Ross desired to strike out part of the second section, believing that otherwise endless litigation would result, and he also desired to make the correction of the levy mandatory. Further discussion followed and roll call was demanded on a motion to table. The vote showed 51 for and 42 against the proposition to table. This leaves the way open for any aggrieved tax payer to bring suit. Ross then desired to have the entire section stricken out, but his motion was defeated.

The third section provides that where the first half of the tax has already been paid, the excess shall be credited on the balance of the taxes due. Where the bill is refunded, this section was adopted without change and the emergency clause was then added to the bill.

The bill was then put as amended, read and passed, and the emergency clause was then added to the bill.

Speaker Wilson announced that he would rule on all bills bearing an emergency clause that the bill and the emergency clause be voted on separately. His statement was greeted with applause.

that the committee on rules will make its report this afternoon.

The committee on miles and mileage brought in its report this morning and some dissatisfaction arose among some of the members as to the number of miles they were supposed to have traveled under the report of the committee. Some discussion resulted and the report was finally recommitted.

## UNION EVANGELICAL MEETING

Fully 500 people were out last night to hear Evangelist Bulgin at the Lyon building. The big room has been transformed into an ideal auditorium and is comfortable, both as to seating and heating. The meetings have been increasing in interest from the very first night, and last night was by far the best service of the meeting. The singing was inspiring and all engaged heartily in the service. Dr. Bulgin made a heart to heart talk on local conditions, and also some of the cardinal principles of a Christian life. At the close of the sermon 20 asked for prayers and one confessed Christ. The service closed with a duet by Prof. Rose and Prof. Miller.

Guthrie has never had an opportunity of hearing a stronger preacher than Dr. Bulgin, and all of our business and professional men should make it a point to hear the evangelist as often as possible. His sermons are not only highly intellectual but are also deeply spiritual, and the results of listening to such sermons can but help one to a higher life.

Service at 7:30 this evening, at which hour Dr. Bulgin will discuss "The Unreasonable Demands of Unbelief."

## TO REOPEN TRIBAL ROLLS

Special to Daily Leader.  
Washington, Jan. 8.—A bill has been introduced in congress by Mr. Gallinger, of New Hampshire, to reopen the rolls of the Five Civilized Tribes.

The bill in full follows: "Be it enacted by the senate and house of representatives that the secretary of interior is hereby authorized and directed, prior to November 1, 1909, to place on the final approved rolls of the Five Civilized Tribes, the name of any person whose application was pending on February 1, 1907, and who shall be found by the secretary of interior to be legally or equitably on the merits of his case entitled to enrollment, and also to consider and place on the rolls new-born Choctaw freedmen; and the secretary of interior is authorized, prior to November 1, 1909, to make such investigation, if any, in his judgment is advisable, to determine the rights of persons not heretofore enrolled, and whose application was pending as aforesaid."

This bill has been referred to the committee on Indian affairs. If it becomes a law it will be over the protest of the entire Oklahoma delegation and that of the secretary of interior, also.

## BUILDING UP THE SCHOOLS

According to the report of State Superintendent E. D. Cameron 2,220 school districts have been established in the forty-two new counties created in the new state during the past year.

Previous to that time there was a large number of children of school age without educational advantages of any kind. He reports the old dilapidated school house on the road crossings as rapidly disappearing and handsome frame and brick structures taking their place. He states that next year 7,441 schools will be in operation in old Oklahoma and 3,206 in the eastern part of the state, making a total of 5,647 rural schools in the state. He reports in addition 2,000 city schools, 190 of which are high schools. He reports 2,591 teachers employed in the state as follows: 600 superintendents and principals in graded school work, 400 teachers in state university and other state schools of higher learning, 200 teachers in private schools and fifty in kindergarten work. He advocates paying higher salaries for teachers and reports the higher institutions of learning in Oklahoma in excellent condition.

## HEAR OF COTTON AT HOBART

Hobart, Okla., Jan. 8.—Despite the fact that the weather has been hovering about the freezing point for the past few days, over two hundred bales of cotton were brought to Hobart yesterday by the farmers.

Cotton picking for the season has been practically completed and the farmers are preparing to break the ground that it may be in a good condition for the spring crops.

## OKLAHOMA BANKS LIQUIDATE

Special to Daily Leader.  
Washington, Jan. 8.—The treasury department has announced the voluntary liquidation of the following Oklahoma banks: The First National at Alameda, The Alva National at Alva, and The First National at Muskogee. It is understood that all of these banks are owned by the same person, and that they are being liquidated because of the failure of the owner to pay the taxes on the property.

## NEAR-ROW IN COUNCIL MEETING

CITY DAD AND CITY ENGINEER ENGAGE IN WORDY WAR

FORMER WANTED LATTER REMOVED FROM OFFICE

Resolution Declaring the Runner of Lines Incompetent Is Laid on Table

The city council meeting wound up last evening with what proved almost a row between Councilman J. J. Kennedy of the Fifth ward and City Engineer W. W. Miller, when the former introduced a resolution to displace with the services of the city engineer on the ground of incompetency, and empowering the mayor and public building committee to employ a competent engineer as soon as practicable.

When called upon to explain the resolution Councilman Kennedy stated that the taxpayers of Guthrie were demanding that before the city enter into the work of making from \$500,000 to \$700,000 worth of municipal improvements the city should have a competent engineer, one they could rely upon. The councilman and Miller made several speeches, showing considerable warmth at times, until finally quelled by the mayor after much pounding for order. Councilman Kennedy stated that he had heard from numerous sources that Miller had held up city contractors and had collected money for giving street grades, but admitted he could not substantiate any of the charges, other than that Contractors Kirby, Mayfield and Shaw had filed a complaint with the city council against Miller which, after an investigation, was dismissed.

Kennedy stated that Miller had made demands on contractors to cash his pay warrants at par. Miller denied this, but stated that Contractors Snyder and Williams, who had paying work for the city, had at one time cashed a warrant for him because he could not get the cash from any other source, that the contractors were personal friends of his and that he saw nothing wrong in such a transaction, which was a matter of public record.

Miller stated that Kennedy had accused him of grafting on every city contract, including the Convention hall, and branded all the charges as false.

The mayor and Councilman Barker and Lyon stated they had never heard of any charges preferred against Miller, although there had been some complaint as to his work by taxpayers. They commended Miller as being an industrious worker for the city, declaring he had performed his work well, all things considered, and deprecated starting up a man's nest now that the spring election was so close at hand.

The mayor stated that perhaps other cities had a more competent engineer, but said they paid them from \$2,500 to \$5,000 a year, while Miller is drawing but \$1,200 and has little left.

Councilman Lyon, Fairford and Overton declared that the charges preferred by Councilman Kennedy were unjustified to both the city and Mr. Miller, as they had not been substantiated. In reply to these statements Councilman Kennedy asked until the next regular meeting to get affidavits to substantiate the charges, which he declared he could do.

On motion of Councilman Barker the Kennedy resolution was tabled.

## FIRST MONEY TURNED BACK

Today the state treasurer received \$2,000 in cash, being the first result of digging into the old territorial accounts. This is a part of the twenty thousand dollar suit brought by Attorney Smith and Hughes to collect money lost to the taxpayers in territorial days. It is believed that at an early date the balance will be turned into the state treasury.

## SAPULPA GETS BIG INDUSTRY

A charter was issued today from the office of the secretary of state to the Wells-Sapulpa Packing company with a capital stock of \$300,000, fully paid in, for which a charter fee of \$302 was charged. This is among the biggest industries located in the state with foreign capital since statehood and is backed by the Eastern capitalists controlling the packing business. Tulsa, Shawnee and other Oklahoma towns were after the location of the plant, but the capitalists finally located it at Sapulpa, the home of Senator Clarence Davis, on account of the excellent cattle market afforded.

Senator Davis says that the talk about the Oklahoma anti-trust law and pure food law driving out capital is all "boosh," as is demonstrated by the location of this big plant in Oklahoma, when the company was seriously considering placing the plant in Southern Illinois. The city of Sapulpa took \$75,000 in stock in the new enterprise. The directors are: R. B. Burnett and M. B. Wells, of Sapulpa; J. E. Stonecipher, of Salem, Ill.; A. R. Cox, of DeKalb, Ill.; and Herschel D. Halstow, of Tucker, Ill.

Other corporations granted charters today were:

The O. C. Greer Concrete Machinery company, of Oklahoma City, with a capital stock of \$50,000. The directors are: O. C. Greer, T. F. Hurt and S. J. Carpenter, all of Oklahoma City.

The Sumpter Telephone company, of Sumpter, Kay county, with a capital stock of \$1,000. The directors are: Frank Wells, A. W. Nowcomb, C. E. Alger, Wm. Riley and B. E. Masterson, all of R. F. D. No. 3, Baman, Okla.

The Universal Automatic Wagon Brake company, of Oklahoma City, with a capital stock of \$50,000. The directors are: J. C. Durham, J. E. Kelks and M. E. Durham, all of Oklahoma City.

The Washita Concrete company, of Dewey, with a capital stock of \$25,000. The directors are: Wm. Speak and R. D. Gardner, of Dewey; Tom George, of Bartlesville.

The Blaine County Fair and Live Stock association, with a capital stock of \$10,000. The incorporators are: A. M. Sanderson, Karl Fitzgerald, Lee Marshall, N. Orndorff and G. Lee, all of Watonga.

The Washita Valley Rural Telephone company, of Guanche, with a capital stock of \$500. The directors are: W. G. Byrner and J. M. Byrner, of Guanche; M. E. Harris, of McKinney; Texas O. W. Rymek, of R. F. D. No. 1, Duncan, Okla.

## PLAN FOR LIGHTING AVENUE

Plans are well under way to make Oklahoma avenue, from Vine street east to the entrance of Convention hall, a distance of seven blocks, the most brilliantly lighted street in the South west. The retail merchants have the matter before them and action will be taken at their next regular meeting.

The matter was brought up by Councilman Sparlock and the mayor at the city council meeting last night. They advocated the immediate erection of the needed poles and lamps along the avenue so that the legislature could have the benefit of the improvement. A proposition will be introduced at the next regular meeting of the city council giving the lighting plan in detail, with estimates as to cost of construction and maintenance. The plan is to line both sides of the avenue with concrete or steel poles every 50 or 100 feet, with a cluster of lights at the top, which will make the street as light as day so that a newspaper might be read in the street. The merchants or property owners are to pay for the poles, the city furnish the lights and the electric light company the brackets from which the lights are to be strung.

## LAWYERS WILL RETAIN FEE

Special to Daily Leader.  
Washington, Jan. 8.—The decision of the court of claims that it has not the power to disturb the payment of a fee of \$150,000 out of the funds of the Eastern Cherokee, to attorneys who tried to get the money for the Cherokee nation instead of the Eastern Cherokee, is an interesting echo of the long struggle of the Eastern Cherokee to recover nearly five million dollars from the government, and a payment of which is now being arranged.

## ROOSEVELT ROUNDLY ROASTED

MESSAGE TO HOUSE DENOUNCED AS DISRESPECTFUL

SPECIAL COMMITTEE FILES FORMAL REPORT

Impeccable Congressmen Refuse to Associate With Rude White House Person

(By Associated Press.)

Washington, D. C., Jan. 8.—Having given consideration to the President's further views regarding the secret service contained in his message to the house last Monday, the special committee appointed to deal with the subject today brought in its final report.

Accompanying it was a resolution which declared it to be the sense of the house that it should decline to consider any communication from any source which is not respectfully recommending that similar action be taken with respect to the message of last Monday because of its being "unresponsive to the inquiry of the house." As to whether President Roosevelt when he said, referring to the limitation placed upon the field of operation of the secret service, that the chief argument in favor of the provision was that congressmen did not themselves wish to be investigated.

When Chairman Perkins of the special committee arose to make his report he was an angry, red, pompous, and without basis of fact, and that it constituted a breach of the privilege of house.

"Doubtless in congress are some times found unfit and dishonest members, but I believe that with few exceptions the body is composed of men of integrity, whose vote is determined not by fear of the police but by an honest regard for public service. We consider the language of the president in his message of December 8, 1908, unjustified and without basis of fact, and that it constitutes a breach of the privilege of house."

## HEARING ON EXPRESS RATES

Before the Corporation commission this afternoon is being held a hearing on the proposed order reducing the present express rates between points in the state from twenty to sixty per cent. The proposed reduction makes a uniform rate and is but a very little less than the rates now charged by companies operating in the state, except the Wells-Fargo and United States express companies. The other express companies operating in the state are the Adams, American and Pacific, making five in all. The Wells-Fargo and United States are the only companies fighting the new tariff.

The Commission convenes next Tuesday, January 12th, for the January term. About fifty cases have been docketed for the term, while several railroad companies will have a chance to explain charges of violating orders of the commission.

a million dollars for their billings in the Eastern states, and the expenses of moving to their new home in Indian Territory. This claim remained unpaid for seventy years and when a judgment was finally secured by Senator Owen and other attorneys, the original suit with interest, amounted to nearly five million dollars. Senator Owen and associates received a fee of a quarter of a million dollars in this case. It took them many years to get the judgment.

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